

Fill in this information to identify the case:

Debtor 1 David Stanley SmithDebtor 2
(Spouse, if filing)United States Bankruptcy Court for the: Eastern District Of ArkansasCase number 4:19-bk-14454

Official Form 410

Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Wayne English and William Burris

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor

2. Has this claim been acquired from someone else?

 No Yes. From whom?

3. Where should notices and payments to the creditor be sent?

Where should notices to the creditor be sent?

Ogles Law Firm, P.A.

Name

200 South Jeff Davis

Number Street

Jacksonville AR 72076

City

State

ZIP Code

Contact phone 501-982-8339Contact email jogles@aol.com

Where should payments to the creditor be sent? (if different)

Name

Number Street

City

State

ZIP Code

Contact phone

Contact email

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

 No Yes. Claim number on court claims registry (if known) _____

Filed on

MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

 No Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

| | |
|---|--|
| 6. Do you have any number you use to identify the debtor? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____ |
| 7. How much is the claim? | \$ <u>177,296.25</u> . Does this amount include interest or other charges? |
| | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A). |
| 8. What is the basis of the claim? | Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. <u>Mortgage</u> |
| 9. Is all or part of the claim secured? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <input checked="" type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____ |
| | Basis for perfection: <u>Mortgage</u> Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) |
| | Value of property: \$ <u>241,877.00</u> Amount of the claim that is secured: \$ <u>177,296.25</u> Amount of the claim that is unsecured: \$ <u>0.00</u> (The sum of the secured and unsecured amounts should match the amount in line 7.) Amount necessary to cure any default as of the date of the petition: \$ <u>35,493.44</u> |
| | Annual Interest Rate (when case was filed) <u>6.00 %</u> <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable |
| 10. Is this claim based on a lease? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition: \$ _____ |
| 11. Is this claim subject to a right of setoff? | <input type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____ |

Mortgage Proof of Claim Attachment

(12/15)

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See separate instructions.

| Part 1: Mortgage and Case Information | | Part 2: Total Debt Calculation | | Part 3: Arrearage as of Date of the Petition | | Part 4: Monthly Mortgage Payment | |
|--|---------------------|---------------------------------------|--------------|--|-------------|----------------------------------|------------|
| Case number: | 19-bk-14454 | Principal balance: | \$144,389.19 | Principal & interest due: | \$35,493.44 | Principal & interest: | \$1,109.17 |
| Debtor 1: | David Stanley Smith | Interest due: | 27,507.04 | Prepetition fees due: | 5,000.00 | Monthly escrow: | |
| Debtor 2: | | Fees, costs due: | 5100.00 | Escrow deficiency for funds advanced: | 0 | Private mortgage insurance: | |
| Last 4 digits to identify: | 6753 | Escrow deficiency for funds advanced: | | Projected escrow shortage: | 0 | Total monthly payment: | 1,109.17 |
| Creditor: | Wayne English | Less total funds on hand: | | Less funds on hand: | 0 | | |
| Servicer: | | Total debt: | 177,296.25 | Total prepetition arrearage: | | | |
| Fixed accrual/daily simple interest/other: | | | | | | | |

Part 5 : Loan Payment History from First Date of Default